

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants note with appreciation the indication that claims 42-45, 50, 52, 56, 58, 61, 74, 77 and 79 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. See Official Action at page 6. Applicants also note the Examiner's indication that claim 78 would be allowable upon withdrawal of the §112, second paragraph rejection, and if rewritten in independent form including all of the features of the base claim and any intervening claims. See Official Action at page 6.

By the above amendments, claims 36, 64-71, 80 and 81 have been canceled without prejudice or disclaimer. Claims 42, 50, 52, 56, 58, 61, 74 and 77-79 have been amended to be in independent form. The dependencies of dependent claims 37, 38, 46, 48, 49, 51, 53, 54, 57, 59, 60, 62, 63, 72, 73, 75 and 76 have been amended in view of the above cancellation of claims 36 and 71. Claims 37, 41-43, 48, 56, 72, 73 and 75 have been amended for readability purposes. Subject matter deleted from claim 73 has been presented in new dependent claims 82-84.

In the Official Action, claim 78 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner has taken the position that there is insufficient antecedent basis for the term "void spaces". Applicants note, however, that claim 78 does not recite a definite article prior to the term "void spaces", and the recitation of an indefinite article prior to such term would be inappropriate in view of the fact that such term is plural. Accordingly, Applicants

respectfully submit that the recitation of the term "void spaces" does not render claim 78 unclear, and withdrawal of the §112 rejection is respectfully requested.

The rejections under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,783,712 (*Slivka et al*), under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 7,156,880 (*Evans et al*) in view of U.S. Patent No. 6,054,142 (*Li et al*), and under 35 U.S.C. §103(a) as being obvious over *Evans et al* in view of *Li et al*, and further in view of *Slivka et al*, are moot in view of the above amendments to the claims.

Specifically, as noted above, independent claims 36 and 71 have been canceled, and claims 42, 50, 52, 56, 58, 61, 74, 77 and 79 have been amended to be in independent form. In this regard, claims 42, 50, 52, 56, 58, 61, 74, 77 and 79 have been indicated as containing allowable subject matter. See Official Action at page 6. Accordingly, withdrawal of the above rejections is now in order, and such action is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general,
the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 24, 2009

By:

A handwritten signature in black ink, appearing to read 'R. H. Lee', written over a horizontal line.

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